IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33292 of 2008
1. IBRAR BHAT @ IBARAL BHAT, S/o Abbash Bhat
2. Mumtaz Bhat @ Mumraj Bhat, S/o. Aajo Bhat
Both residents of village – Nanhu Nagar, Bhadauni, P. S. Nawadah Town
District – Nawadah …… Petitioners
Versus
THE STATE OF BIHAR …….Opp. Party
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2 22.10.2008 Heard learned counsel for the petitioner and learned counsel for the State.

The case is under Section 365 of the Indian Penal Code. Petitioner and five others were named in the complaint with allegations of assault on the complainant. Out of the said named six accused persons one accused has been granted bail by this Court vide order dated 21.08.2008 passed in Cr. Misc. No. 31863 of 2008.

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It is submitted that a complaint had earlier been filed against the present complainant and others and for withdrawal of which the complainant has filed this case. A copy of the said complaint filed by the prosecution side against the complainant and others is annexure-2. Learned counsel for the petitioner also drew the attention of this Court to Annexure-3, a report of the police, to submit that on confidential inquiry the police has found that the complainant is in habit of filing false complaints against villagers putting them into trouble.

Be that as it may, in view of the fact that the one of the co-accused in identical circumstances has been granted bail by this Court, this application is allowed. Let Petitioners, namely, Ibrar Bhat @ Ibaral Bhat and Mumtaz Bhat @ Mumraj Bhat be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two

sureties of the like amount each to the satisfaction of Sri. M. Kumar, Judicial Magistrate, Ist Class, Nawadah in connection with Complaint Case No. 186 of 2006.

Kundan **(J. N. Singh, J.)**

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